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**Attorneys for Plaintiff
MICROSOFT CORPORATION**

**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

MICROSOFT CORPORATION, a
Washington corporation,

Plaintiff,

V.

HOA THAO VU TRAN, a/k/a HOAT TRAN; d/b/a CDX SOFTWARE, CDXSOFTWARE.COM, HTTFISH and HTTFISH42; and JOHN DOES 1-5.

Defendants

Case No. SACV 08-0498 DOC (ANx)

**PERMANENT INJUNCTION
AGAINST HOA THAO VU TRAN,
d/b/a
CDX SOFTWARE,
CDXSOFTWARE.COM, HTTFISH,
and HTTFISH42; and**

ORDER OF DISMISSAL

Stipulation filed concurrently herewith

THIS MATTER came before the Court upon the Stipulation of Plaintiff Microsoft Corporation’s (“Microsoft”) and defendant Hoa Thao Vu Tran, d/b/a CDX Software, CDXsoftware.com, HTTFISH, and HTTFISH42 (“Tran”) for the entry of a Permanent Injunction and Order of Dismissal. Having considered the Stipulation, and having reviewed the files and records herein: the Court enters the following ORDER:

1 **PERMANENT INJUNCTION**

2 1. Defendant Hoa Thao Vu Tran, doing business as CDX Software,
3 CDXsoftware.com, HTTFISH, and HTTFISH42, and his agents, servants, employees,
4 representatives, successors and assigns, and all those persons acting at his direction or
5 control, are hereby **PERMANENTLY ENJOINED** and restrained from engaging in
6 the following acts or practices:

7 (a) imitating, copying, or making any other infringing use or infringing
8 distribution of the software and/or materials now or hereafter protected by the
9 following copyright Certificate Registration Nos.:

10 (1) TX 5-407-055 (“Windows XP”);

11 (2) TX 5-811-026 (“Windows 2003 Server”); and

12 (3) Other items or works protected by Microsoft registered
13 copyrights;

14 (b) importing (to the United States), offering to the public, providing
15 and trafficking in counterfeit and/or unauthorized Product Keys, knowing or having
16 reason to know that such Product Keys (a) are primarily designed or produced for the
17 purpose of circumventing technological measures that effectively control access to
18 copyrighted Microsoft software, (b) have only limited commercially significant purpose
19 or use other than to circumvent technological measures that effectively control access to
20 copyrighted Microsoft software, or (c) are marketed by Defendant and persons acting in
21 concert with Defendant for use in circumventing technological measures that effectively
22 control access to copyrighted Microsoft software;

23 (c) using any false or misleading representation that can or is likely to
24 lead the trade or public erroneously to believe that any software program, component,
25 or item has been manufactured, assembled, produced, distributed, offered for
26 distribution, circulation, sold, offered for sale, imported, advertised, promoted,

displayed, licensed, sponsored, approved, or authorized by or for Microsoft, when such is not true in fact;

(d) using reproductions, counterfeits, copies or colorable imitations of Microsoft's copyrighted and trademark protected software and other materials in the distribution, offering for distribution, circulating, sale, offering for sale, advertising, importing, promoting, or displaying of any merchandise not authorized or licensed by Microsoft:

(e) trafficking, distributing or intending to distribute any counterfeit or illicit Microsoft Product Keys, Product Key Labels, or any Microsoft documentation or packaging; and

(f) assisting, aiding, or abetting any other person or business entity in engaging in or performing any of the activities referred to in subparagraphs a through e above.

ORDER OF DISMISSAL

2. The Court further Orders that Microsoft's claims in this action against defendant Tran are dismissed, with prejudice and without attorneys' fees or costs.

3. The United States District Court for the Central District of California shall continue to have jurisdiction in this case to the extent necessary to enforce the Permanent Injunction and other agreed orders, and the Settlement Agreement and Release entered into by Microsoft and Tran.

IT IS SO ORDERED.

Dated: September 30, 2008

David O. Carter
HON. DAVID O. CARTER
United States District Court Judge